

Application No. 10/084,538  
Amendment filed concurrently with RCE

Customer No. 01933

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Claim 1 has been canceled, without prejudice, and claims 2-7, 9 and 10 which formerly depended from claim 1 have all been amended to depend from claim 22.

Claim 8 has been amended to be rewritten in independent form to include all of the limitations of now canceled claim 1, as well as to clarify the feature of the present invention whereby the opening extends through the second body from the front surface to the back surface in a part of the second body such that the projecting observation window is inserted in the opening when the second body is in the closed position, as supported by the disclosure in the specification at page 10, lines 3-18.

Claim 11 has been amended to clarify the feature of the present invention whereby the image display section comprises an observation projection which is fixed in position on one surface of the first body so as to project from the one surface of the first body, and an observation window which is fixed on a projecting surface of the observation projection, as supported by the disclosure in the specification at page 10, lines 3-18. And

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claim 11 has also been amended to delete the unnecessary recitations of the operation section and display section.

Claim 18 has been amended to better according with amended claim 11, from which claim 18 depends.

Claim 21 has been amended to more positively recite an image display element and the first and second surfaces of the second body. In addition, claim 21 has been amended to clarify the features of the present invention whereby an observation projection projects from one surface of the first body, whereby the observation window is provided on a projecting surface of the observation projection, and whereby the observation window is positioned so as not to extend past the second surface of the second body, as supported by the disclosure in the specification at page 10, lines 3-18.

Claim 22 has been amended to clarify the feature of the present invention whereby the observation window is provided on a projected surface of the observation projection to be parallel to the part of the surface of the first body from which the observation projection projects, as shown in Fig. 1C.

In addition, new claims 23-29 have been added depending from claim 21 based on the subject matter of claims 4-10.

And finally, new independent claim 30 has been added to recite the features of the present invention whereby an observation projection projects from one surface of the first

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body, whereby the observation window is fixed in position on a projecting surface of the observation projection, and whereby the observation window is positioned so as not to extend past the second surface of the second body, as supported by the disclosure in the specification at page 10, lines 3-18.

No new matter has been added, and it is respectfully requested that the amendments to claims 2-11, 18, 21 and 22, and the addition of claims 23-30 be approved and entered.

CLAIM FEE

The application previously contained 22 claims, of which 4 were independent, and the appropriate claim fee was paid for such claims. The application now contains 29 claims, of which 5 are independent. Accordingly, a claim fee in the amount of \$214.00 for the addition of 1 extra independent claim and 7 extra claims in total is attached hereto. In addition, authorization is hereby given to charge any additional fees which may be determined to be required to Account No. 06-1378.

THE PRIOR ART REJECTION

Claims 1, 2, 4-7, 9-12, 14-17 and 19-22 were rejected under 35 USC 103 as being obvious in view of the combination of previously cited EP 0817393 ("Wright et al") and previously cited USP 6,230,028 ("Shirakawa"); claims 3 and 13 were rejected under

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35 USC 103 as being obvious in view of the combination of Wright et al, Shirakawa and previously cited USP 6,157,353 ("Song et al"); and claims 8 and 18 were rejected under 35 USC 103 as being obvious in view of the combination of Wright et al, Shirakawa and previously cited USP 6,009,338 ("Iwata et al"). These rejections, however, are respectfully traversed with respect to amended independent claims 8, 11, 21 and 22 as amended hereinabove, and new independent claim 30 as set forth hereinabove.

RE: AMENDED INDEPENDENT CLAIM 8

On page 8 of the Office Action, the Examiner acknowledges that Wright et al and Shirakawa do not disclose the feature of the present invention whereby an opening is provided which extends through the second body. Therefore, the Examiner has cited Iwata et al to supply the missing teaching of Wright et al and Shirakawa et al.

As recognized by the Examiner, Iwata et al discloses a cellular telephone with a body 1 and a cover 7. According to Iwata et al, the cover 7 has a window 65 which makes the upper part of the LCD 4 and touch screen 20 visible when the cover 7 is closed.

It is respectfully submitted, however, that Iwata et al does not disclose, teach or suggest the feature of the present

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invention as recited in amended independent claim 8 whereby the projecting observation window is inserted in the opening which extends through the second body, when the second body is in the closed position.

With this structure, according to the present invention as recited in amended independent claim 8, the height of the projecting observation window (which projects due to the height of the magnifying optical part) is compensated for by the opening in the second body. Therefore, the mobile information terminal as recited in amended independent claim 8 can be made compact, since the height of the projecting observation window is inserted in the opening in the second body.

Similarly, amended claim 18 (which depends from independent claim 11) and new claim 27 (which depends from independent claim 21) recite the feature of the present invention whereby the observation projection is positioned in the opening such that the observation window faces toward the outside from the opening when the second body is in the closed position.

It is respectfully submitted that the LCD 4 of Iwata et al is clearly not inserted in the window 65. Therefore, it is respectfully submitted that Iwata et al does not at all disclose, teach or suggest the feature of the present invention as recited in amended independent claim 8 whereby the projecting observation

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window is inserted in the opening which extends through the second body, when the second body is in the closed position.

It is respectfully submitted, therefore, even if Wright et al and Shirakawa were combinable with Iwata et al in the manner suggested by the Examiner, the structural features and advantageous effects present invention as recited in independent claim 8, and claims 18 and 27, still would not be achieved.

Accordingly, it is respectfully submitted that amended independent claim 8, as well as claims 18 and 27, all patentably distinguish over Wright et al, Shirakawa and Iwata et al, taken singly or in any combination under 35 USC 103.

RE: AMENDED INDEPENDENT CLAIM 11

According to the present invention as recited in amended independent claim 11, the image display section of the mobile information terminal apparatus comprises, in particular, an observation projection which is fixed in position on one surface of the first body so as to project from the one surface of the first body, and an observation window which is fixed on a projecting surface of the observation projection and which leads the image magnified by the magnifying optical part to the outside.

That is, the observation projection and observation window according to the present invention as recited in amended

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independent claim 11 are fixed in position so as to project from the one surface of the first body.

By contrast, it is respectfully submitted that the virtual image display 16 of Wright et al must be "popped up" into a ready-to-use position from its position underneath the surface of the housing 14. Therefore, it is respectfully submitted that Wright et al clearly does not disclose an observation projection which is fixed in position on one surface of the first body so as to project from the one surface of the first body, and an observation window which is fixed on a projecting surface of the observation projection, as recited in amended independent claim 11.

Accordingly, it is respectfully submitted that amended independent claim 11, as well as claims 12-20 depending therefrom, all patentably distinguish over Wright et al and Shirakawa, taken singly or in combination, under 35 USC 103.

RE: AMENDED INDEPENDENT CLAIM 21

According to the present invention as recited in amended independent claim 21, the image display section of the mobile information terminal apparatus comprises, in particular, an observation projection which projects from one surface of the first body, and an observation window which is provided on a projecting surface of the observation projection and which leads

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the image magnified by the magnifying optical part to the outside, wherein the observation window is positioned so as not to extend past the second surface of the second body, when the second body is in the closed position.

With this structure, the image display section is visible even when the second body is in the closed position, but the observation window does not extend past the second surface of the second body, so no projecting portion is formed which would increase the size of the mobile information terminal apparatus. Thus, the mobile information terminal apparatus according to the present invention as recited in amended independent claim 21 is enabled to be compact.

By contrast, as described hereinabove, the virtual image display 16 of Wright et al must be "popped up" into a ready-to-use position from its position underneath the surface of the housing 14. And it is respectfully submitted that the "popped up" position of the virtual display 16 clearly extends past the surface of the cover of the mobile phone.

Therefore, it is respectfully submitted that Wright et al clearly does not disclose, teach or suggest the feature of the present invention as recited in amended independent claim 21 whereby the observation window is positioned so as not to extend past the second surface of the second body, when the second body is in the closed position.

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Accordingly, it is respectfully submitted that amended independent claim 21, as well as claims 23-29 depending therefrom, also patentably distinguish over Wright et al and Shirakawa, taken singly or in combination, under 35 USC 103.

RE: AMENDED INDEPENDENT CLAIM 22

According to the present invention as recited in amended independent claim 22, the image display section of the mobile information terminal apparatus comprises, in particular, an observation projection projected from a part of one surface of the first body, and an observation window which is provided on a projected surface of the observation projection to be parallel to the part of the one surface of the first body and to lead the image magnified by the magnifying optical part to the outside. Thus, the observation window as recited in amended independent claim 22 is parallel to the part of the surface of the first body from which the observation projection projects.

By contrast, it is respectfully submitted that the protective lens 28 of Wright et al is clearly "popped up" at a sharp angle with respect to the surface of the housing 14.

Therefore, it is respectfully submitted that the protective lens 28 of Wright et al clearly does not correspond to the observation window of the present invention as recited in amended independent claim 22, whereby the observation window is provided

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on a projected surface of the observation projection to be  
parallel to the part of the one surface of the first body from  
which the observation projection projects.

Accordingly, it is respectfully submitted that amended independent claim 22, as well as claims 2-7, 9 and 10 depending therefrom, also patentably distinguish over Wright et al and Shirakawa, taken singly or in combination, under 35 USC 103.

RE: NEW INDEPENDENT CLAIM 30

According to the present invention as recited in new independent claim 30, the image display section of the mobile information terminal apparatus comprises an observation projection which is fixed in position on one surface of the first body so as to project from the one surface of the first body, and an observation window which is fixed on a projecting surface of the observation projection and which leads the image magnified by the magnifying optical part to the outside, wherein the observation window is positioned so as not to project past a back surface of the second body, when the second body is in the closed position.

As explained hereinabove with respect to amended independent claims 11 and 21, the cited references do not disclose, teach or suggest these features of the present invention.

Accordingly, it is respectfully submitted that new independent claim 30 also clearly patentably distinguishes over

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the cited references, taken singly or in any combination, under  
35 USC 103.

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In view of the foregoing, entry of this Amendment, allowance  
of the claims and the passing of this application to issue are  
respectfully solicited.

If the Examiner has any comments, questions, objections or  
recommendations, the Examiner is invited to telephone the  
undersigned at the telephone number given below for prompt  
action.

Respectfully submitted,



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